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F. #2021R00539

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

COMPLAINT

- against -

(18 U.S.C. § 1029(b)(2))

OLIVIA FISHER

22-MJ-1316(SIL)

Defendants.

----- X

EASTERN DISTRICT OF NEW YORK, SS:

DONALD WINDING, being duly sworn, deposes and states that he is a Postal Inspector with the United States Postal Inspection Service, duly appointed according to law and acting as such.

On or about between July 2020 and September 2021, within the Eastern District of New York and elsewhere, the defendant OLIVIA FISHER, together with others, did knowingly and with intent to defraud did conspire to traffic in and use one or more unauthorized access devices, in a matter affecting interstate commerce, and by such conduct did obtain something of value during any one-year period, the aggregated value of which is equal to or greater than \$1,000.

(Title 18, United States Code, Section 1029(b)(2))

The source of your deponent's information and the grounds for his/her belief are as follows:¹

1. I am a Postal Inspector with the United States Postal Inspection Service ("USPIS") and have been involved in the investigation of numerous cases and have been for approximately 19 years. As part of my duties, I investigate criminal violations relating to various federal crimes, including possession and use of unauthorized access devices and mail theft. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On October 6, 2021, Pierot Adolphe and Lexus Bonnette were arrested, and a search warrant was executed at the residence believed to be inhabited by Adolphe and Bonnette (the "Adolphe and Bonnette Residence"), pursuant to arrest warrants and a search warrant signed by the Honorable Peggy Kuo, United States Magistrate Judge, Eastern District of New York. On November 5, 2021, sealed arrest warrants were issued pursuant to a sealed nine-count indictment signed by the Honorable Taryn A. Merkl, United States Magistrate Judge, Eastern District of New York, for Asif Badrie, Starasia Barnes, and Quanisha Simmons.²

3. During the execution of the search warrant, law enforcement seized, among other things, at least two cellular phones believed to be used by Pierot Adolphe and

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

² Pierot Adolphe, Starasia Barnes, Lexus Bonnette, and Quanisha Simmons have all since pleaded guilty to the indictment to charges of conspiracy to commit access device fraud, in violation of 18 U.S.C. 1029(b)(2).

Lexus Bonnette: (1) the “Adolphe Phone” (a cellular telephone with call number (516) 808-8645); and (2) the “Bonnette Phone” (a cellular telephone with call number (718) 749-4455).

4. There is probable cause to believe that Pierot Adolphe was the owner and user of the Adolphe Phone because, among other things, (1) Postal Inspectors received records from Municipal Credit Union (“MCU”) indicating that the Adolphe Phone is listed for MCU account holder Pierot Adolphe; (2) Postal Inspectors received subscriber information from T-Mobile reflecting that the Adolphe Phone is assigned to Pierot Adolphe; (3) the Adolphe Phone was recovered during the execution of the above-described search and arrest warrants; and (4) in a review of messages between the Adolphe Phone and the Bonnette Phone, the user of the Bonnette Phone texts the user of the Adolphe Phone, “I love you more Pierot [A]dolphe.”

5. There is probable cause to believe that Lexus Bonnette was the owner and user of the Bonnette Phone because, among other things, (1) Bonnette had provided the Bonnette Phone as the number to reach her on several occasions; (2) the Bonnette Phone was recovered during the execution of the above-described search and arrest warrants; and (3) in a review of messages between the Adolphe Phone and the Bonnette Phone, the user of the Adolphe Phone texts the user of the Bonnette Phone, “I love you Lexus [B]onnett.”

6. As a result of the judicially authorized search of the Adolphe Phone and the Bonnette Phone, law enforcement recovered evidence that (1) phones belonging to several postal carriers – Asif Badrie, Starasia Barnes, and Quanisha Simmons (the “Postal Carrier Cell Phones”) – were being used as part of the conspiracy; (2) those postal carriers were stealing United States mail; and (3) those postal carriers were using the Postal Carrier Cell Phones to sell credit cards and debit cards from the United States mail to Pierot Adolphe and Lexus Bonnette.

On November 16, 2021, a search warrant was signed by the Honorable Marcia M. Henry, United States Magistrate Judge, Eastern District of New York, regarding the Postal Carrier Cell Phones.

7. Each of the Postal Carrier Cell Phones was used to communicate with Adolphe and/or Bonnette regarding the conspiracies to use credit cards and debit cards stolen from the United States mail to purchase merchandise at retail locations. Generally, the Postal Carrier Cell Phones, the Adolphe Phone, and the Bonnette Phone all were used routinely to coordinate the conspiracy, and all contained evidence of the conspiracy, including pictures of stolen credit cards, notes of payments regarding the conspiracy, transfers of payment regarding the conspiracy, and communications regarding the conspiracy.

8. Pierot Adolphe listed OLIVIA FISHER as “Good Energy liv” with a Telegram username of “goodenergy3” and an ID of 1415176701.³

9. Based on evidence discovered in the Adolphe Phone, there is probable cause to believe that OLIVIA FISHER participated in the conspiracy and has been since July 2020. Specifically, in the Adolphe Phone, in the Notes App, there was a file titled “LIV WORK,” which was created on November 5, 2020. The file had a listing of approximately 24 individuals, with personal identifiable information, including full name, mother maiden name, driver license number, Social Security number, address, and email address. Additionally, there were notations under individual listings for “Addy” or “Addy sent to.” Based on my training and experience, and my knowledge of the investigation, I understand “addy” to mean address. Several of the addresses were associated with a postal route that Quanisha Simmons was previously assigned to. Simmons has pleaded guilty to participating in the conspiracy by

³ Based on my knowledge of the investigation, I believe that Pierot Adolphe and OLIVIA FISHER have a daughter together. FISHER was convicted in April 2019 of robbery in the third degree related to the taking of a credit card.

stealing credit cards and debit cards from the mail. Additionally, three of the individuals in the “LIV WORK” file had applied for unemployment benefits not with their listed addresses, but with addresses listed as the Adolphe and Bonnette Residence.

10. I understand that OLIVIA FISHER was employed during the course of the conspiracy at ProHealth Pediatric Urgent Care in Wantagh, New York. As a result of the judicially authorized search of the Adolphe Phone, law enforcement has reviewed several messages between Pierot Adolphe and FISHER regarding the conspiracy, wherein FISHER would send Adolphe personal information, including driver license number and patient information, of patients of the urgent care where she is employed. Examples can be seen in Figure-1 and Figure-2, both of which have been redacted. As can be seen from the images, FISHER is taking some of the photos from her work computer.



Figure-1

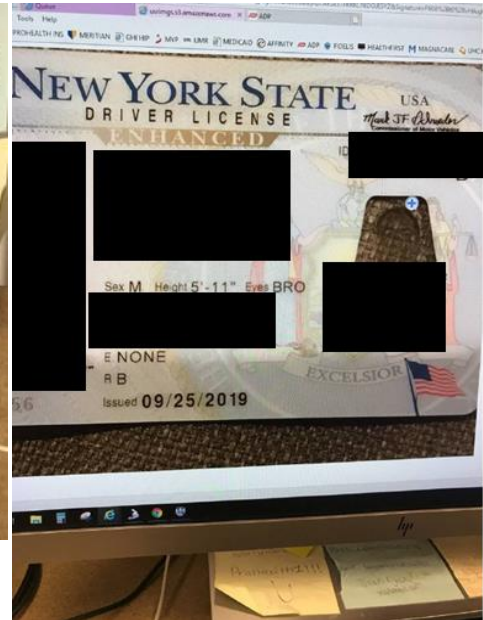


Figure-2

11. In fact, in one photo sent from OLIVIA FISHER to Pierot Adolphe, there is a piece of paper with a script for the urgent care employees, as can be seen in Figure-3.

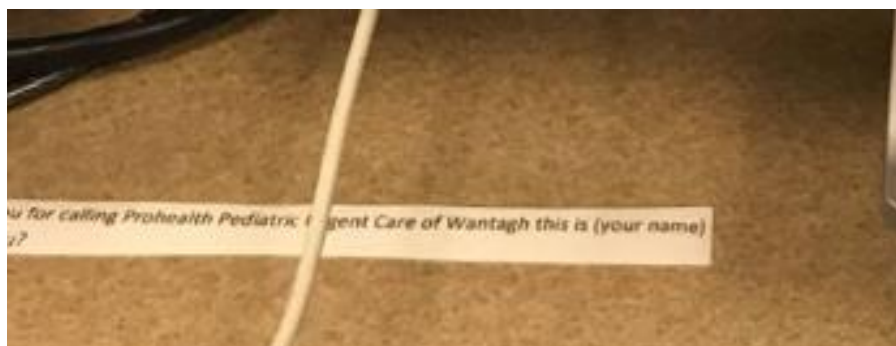
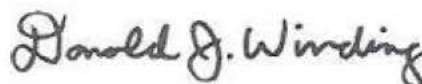


Figure-3

12. There were also several Telegram messages between OLIVIA FISHER and Pierot Adolphe regarding the conspiracy. For example, on January 15, 2021, Adolphe told FISHER, among other things, "Get me sum addys." That same day, FISHER sent Adolphe several photos of driver licenses. On February 8, 2021, FISHER asked Adolphe about payment – "Also what about the 1000 I was waiting on from when u gave me the 4K[?]" and Adolphe responded that he would pay her shortly – "Ima give u the band money tied up on sum Shit I invested later dis week cause I gotta pay bills right now once I'm done wit that I give it to u dis week for sure." FISHER and Adolphe exchanged messages during July 2020.

13. There is also probable cause to believe that Pierot Adolphe and Lexus Bonnette used the identification information provided by OLIVIA FISHER as part of the scheme. For example, on August 23, 2021, Adolphe and Bonnette set up a Cash App⁴ account in the name of one of the individuals that FISHER sent personal information about, including the driver license in Figure-2, to Adolphe. That account was then used by Lexus Bonnette to send money to pay Asif Badrie for stealing mail.

WHEREFORE, your deponent respectfully requests that the defendant OLIVIA FISHER, be dealt with according to law.



DONALD WINDING
Postal Inspector, United States Postal Inspection
Service

Sworn to before me this
12 day of December, 2022

/s/ STEVEN I. LOCKE

THE HONORABLE STEVEN I. LOCKE
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

⁴ Cash App is a mobile payment service that allows users to transfer money to one another using a mobile-phone app.